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Atty. Dkt. No. 057898-0102

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing reasons which follow.

The examiner is thanked for granting the interview on November 17, 2003, and the examiner is thanked for agreeing to withdraw the finality of the rejection. The examiner suggested making amendments to the independent claims to clarify the role of the central site and to further clarify that the present claimed system is separate and distinct from a standard main accounting functionality in a bank. These amendments have been made.

Some of the distinguishing points are discussed below:

47. (Amended) *A method for deposit processing at a central site a plurality of original checks deposited at a remote site with accompanying deposit information, comprising the steps of:*

the central site receiving deposit information including a deposit account designation and where a plurality of checks from different third parties are being deposited by a single depositor a deposit sum, and electronic check data and original check image data for a plurality of checks to be deposited;

the central site identifying MICR errors and/or image data errors in the electronic data received;

if MICR and/or image data errors are identified in the electronic data, then the central site sending an instruction to the remote site to correct the errors;

if no errors are identified, the central site sending endorsement and/or voiding authorization to the remote site; [GEER HAS NO SENDING STEP. COLUMN 12, LINES 31 DISCUSSES A PRIOR ART METHOD OF APPLYING ENDORSEMENT AT THE BANK OF FIRST DEPOSIT. THERE IS NO DISCLOSURE OF SENDING ENDORSEMENT AUTHORIZATION AFTER A DETERMINATION THAT THERE ARE NO ERRORS IDENTIFIED. THE CLAIMED STEP IS INDICATIVE OF A CENTRAL SITE OPERATION.]

the central site receiving endorsed and voided check image data; [THERE IS NO RECEIVING OF ENDORSED CHECK IMAGE DATA AT A CENTRAL SITE. COLUMN 11, LINES 40-45 DISCUSSES APPLYING A CONVENTIONAL ENDORSEMENT TO A PAPER

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CHECK WHICH IS THEN MECHANICALLY PROCESSED. THE EXAMINER, DURING THE INTERVIEW, REFERENCED COLUMN 7, LINES 50-54 ON THIS POINT. HOWEVER, THIS PASSAGE RELATES TO APPLYING ENDORSEMENTS TO FIELDS IN THE ELECTRONIC RECORD FOR THE CHECK. THE GEER PATENT DOES NOT BEGIN DISCUSSING THE CREATION OF AN IMAGE UNTIL COLUMN 8, LINE 10. THE PRESENT CLAIMED RECEIVING STEP IS INDICATIVE OF A CENTRAL SITE OPERATION.];

the central site associating the endorsed and voided check image data with the original check image data; [THIS ASSOCIATING STEP CANNOT BE PRESENT BECAUSE THERE IS NO RECEIVED ENDORSED AND VOIDED CHECK IMAGE DATA.];

the central site providing the electronic deposit data to a main accounting function for a bank of first deposit; [NOTE THAT THIS REFERENCE WAS ADDED TO CLARIFY THAT THE CENTRAL SITE IS SEPARATE FROM AND NOT THE MAIN ACCOUNTING FUNCTION FOR A BANK.]

sorting the associated received data; and

the central site transmitting electronic check data and the original check image data and/or the endorsed and voided check image data directly or indirectly to a maker bank or a print site associated therewith. [COLUMN 9, LINES 37-50 DISCLOSES SENDING PAPER CHECKS TO THE PAYMENT SYSTEM 12.]

Not only are there unique steps in this claimed method that are not present in the prior art, but the combination of steps performed by one entity (the central site) is unique and not shown or suggested by the prior art.

Cahill et al. merely discloses a method for automated storage of check images in an archive. There is no disclosure of the claimed receiving and sending check images steps recited between the central site and a remote site, and in the same claim, in a unique combination with a transmitting step from the central site to a maker bank or a print site associated therewith. Thus, this reference, even if it could be combined with Geer to make an operable system (which it cannot), does not remedy the deficiencies of Geer and meet the specific step recited in the claim.

The foregoing explanation applies equally to claim 75 (program product format), which tracks the limitations of claim 47, as well as to claim 103 (system format) which tracks the limitations of claim 47. Note that there are numerous dependent

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claims which are allowable in their on right, but which will not be argued in the response.

It is noted that the Examiner has in the past taken official notice of a number of limitations in accordance with MPEP 2144.03, applicants traverse/challenge these official notice statements based on personal knowledge and request that each point of official notice be supported by a citation to a reference, as set forth by the MPEP Office requirements. This traverse of the official notice is made insofar as these statements of official notice are applied to the claims as amended.

In view of the foregoing amendments and remarks, the application is ready for allowance.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

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Respectfully submitted,

Date November 20, 2003

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.